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FILED	ENTERED	RECEIVED
COUNSEL/PARTIES		SERVED ON
OF RECORD		
SEP - 6 2019		
CLERK US DISTRICT COURT		
DISTRICT OF NEVADA		
DEPUTY		

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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA
* * *

9 UNITED STATES OF AMERICA,)
10 Plaintiff,)
11 v.)
12 DANIEL NATHAN,)
13 Defendant.)
14
15)
16

2:19-mj-00368- VCF

ORDER

STIPULATION AND ORDER TO
CONTINUE PRELIMINARY
EXAMINATION

(THIRD REQUEST)

17 IT IS HEREBY STIPULATED by and between DANIEL NATHAN, Defendant, by and
18 through his counsel MICHAEL J MICELI, ESQ, and the United States of America, ROBERT
19 KNIEF, Assistant United States Attorney, that the preliminary examination hearing currently
20 scheduled for September 6, 2019 at 4:00 p.m., be vacated and reset to a date and time convenient
21 to the Court but no sooner than sixty (60) days.

22 This Stipulation is entered into for the following reasons:

- 23
24 1. Counsel has spoken to the Defendant and he has no objections to the continuance.
25 2. Defendant is not currently incarcerated and on Pretrial Release.
26 3. The parties need additional time to discuss potential pre-indictment resolutions that
27 may obviate the need to proceed with the preliminary hearing.
28

- 1 4. The parties need a continuance to review discovery and discuss possible defense and
2 otherwise prepare for the preliminary hearing.
3 5. Additionally, denial of this request for continuance would result in a miscarriage of
4 justice.
5 6. This is the second request for a continuance of the preliminary.

6 DATED this 5th day of September 2019.

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10 PITARO & FUMO, CHTD.

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13 NICHOLAS A. TRUTANICH
14 UNITED STATES ATTORNEY

15
16 /s/
17 MICHAEL J. MICELI, ESQ.
18 601 LAS VEGAS BOULEVARD, SOUTH
19 LAS VEGAS, NEVADA 89101
20 ATTORNEY FOR DEFENDANT
21 ROOSEVELT JONES

22
23 /s/
24 ROBERT KNIEF, ESQ.
25 ASSISTANT UNITED STATES ATTORNEYS
26 501 LAS VEGAS BOULEVARD SOUTH. #1100
27 LAS VEGAS, NEVADA 89101

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:19-mj-00368- VCF
Plaintiff,)
v.)
DANIEL NATHAN,)
Defendant)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
 2. Defendant is not currently incarcerated and on Pretrial Release.
 3. The parties need additional time to discuss potential pre-indictment resolutions that may obviate the need to proceed with the preliminary hearing.
 4. The parties need a continuance to review discovery and discuss possible defense and otherwise prepare for the preliminary hearing.
 5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
 6. This is the second request for a continuance of the preliminary.

ORDER

2 The ends of justice served by granting said continuance outweigh the best interest of the
3 public and the defendant in a speedy preliminary hearing, since the failure to grant said
4 continuance would be likely to result in a miscarriage of justice, would deny the parties herein
5 sufficient time and the opportunity within which to be able to effectively and thoroughly prepare
6 for a preliminary hearing, taking into account the exercise of due diligence.

7 **IT IS THEREFORE ORDERED** that the preliminary examination in the above
8 captioned matter currently scheduled for September 6, 2019 at 4:00 p.m., be vacated and
9 continued to November 12, 2019, at 4:00 p.m.

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11 DATED this 6th of September, 2019.

~~U.S. DISTRICT JUDGE~~

CAM FERENBACH
U.S. MAGISTRATE JUDGE